

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION

UNITED STATES OF AMERICA

VS.

CRIMINAL NO. 4:15-cr-050

MICHAEL ALLEN TARVER

MOTION TO COMPEL

Comes now the Defendant, Michael Allen Tarver, by and through counsel and files this his Motion to Compel and in support thereof, Defendant would show the following:

1. According to the hearing held before this court on May 5, 2015, there have been numerous law enforcement agencies involved in the investigation in this case, including Bolivar County Sheriff's Department, Mississippi Highway Patrol, Mississippi Bureau of Investigations, the Federal Bureau of Investigation and the Environmental Protection Agency.

2. Thus far, Mr. Tarver has received the reports from the Bolivar County Sheriff Department. The fact that this many agencies investigated this matter, the timeframe in which said investigations were conducted, and the conclusions they reached to pursue the investigation are both exculpatory and part of the defense of Mr. Tarver.

3. Mr. Tarver is entitled to receive investigative reports and other documents relevant to the respective investigations of said agencies.

4. The information sought is exculpatory and crucial to the defense of the case under the Fourth, Fifth, Sixth and Fourteenth Amendments.

5. Favorable information includes both "exculpatory" and "impeaching" information. *Brady v. Maryland*, 373 U.S. 83, 87 (1963); *Strickler v. Green*, 527 U.S. 263, 281-282 (1999).

WHEREFORE PREMISES CONSIDERED, the Defendant respectfully requests that this Motion to Compel be received and considered by this Honorable Court and an Order issued granting the request for production of the described information.

This the 21st day of December, 2015.

Respectfully submitted,
MICHAEL TARVER
DEFENDANT

BY: /s/ Cynthia A. Stewart
Cynthia A. Stewart

CYNTHIA A. STEWART (MBN 7894)
ATTORNEY, P.A.
118 Homestead Drive, Suite C
Madison, Mississippi 39110
Telephone (601) 856-0515
Facsimile (601) 856-0514

CERTIFICATE

I, Cynthia A. Stewart, do hereby certify that I have this day caused to be filed a true and correct copy of the foregoing document using the Court's CM/ECF system, which sent a true and correct copy of the same to all counsel of record.

SO CERTIFIED, this the 21st day of December, 2015.

/s/ Cynthia A. Stewart
Cynthia A. Stewart